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Attorneys for Defendant
HUBER RUIZ MALDONADO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHER DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR 15-0371 JST
)	
Plaintiff,)	STIPULATION AND proposed
)	ORDER TO CONTINUE
v.)	BRIEFING SCHEDULE AND
)	HEARING ON HUBER RUIZ
HUBER RUIZ MALDONADO,)	MALDONADO'S MOTION TO
)	SUPPRESS STATEMENT
Defendant.)	

Huber Ruiz Maldonado is charged with one codefendant, Jose Ruiz Maldonado, in this action. Huber Ruiz Maldonado is charged with one drug offense, while Jose Ruiz Maldonado is charged with three separate drug offenses. The two defendants are not charged together in any count in the Indictment.

On March 11, 2016, at the last court appearance, counsel for Huber Ruiz Maldonado advised the Court he would move to suppress a statement taken by agents after his arrest. The Court set a hearing on the proposed Motion for July 8, 2016 at 1:30 p.m., and invited counsel to propose a briefing schedule. The Court thereafter approved a briefing schedule proposed by counsel, under which defense counsel would file his Motion by May 27, 2016, the government

1 would file its opposition by June 10, 2016, and defense counsel would file any reply by June 24,
2 2016.

3 As counsel for Huber Ruiz Maldonado was preparing the Motion to Suppress Statement
4 and related documents, counsel for the government and Huber Ruiz Maldonado continued
5 discussions regarding a plea agreement. Huber Ruiz Maldonado filed the Motion on May 27,
6 2016, but counsel for the parties agreed to continue to discuss the terms of a possible plea
7 agreement. As differences narrowed, counsel for Huber Ruiz Maldonado informally agreed with
8 government counsel that because those plea discussions were proceeding in good faith, defense
9 counsel would agree the government could delay filing its opposition to the Motion if this Court
10 would permit that delay.
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13 In the days preceding the due date for the government to file its opposition, June 10,
14 2016, the parties agreed in principle to the terms of a plea agreement. Government counsel had
15 to secure approval for such a plea agreement from his supervisors. Defense counsel attempted to
16 coordinate with this Court's clerk to determine if the Court was available to accommodate a
17 hearing on the Motion two weeks later than the July 8, 2016, and if so, counsel was agreeable to
18 delay the filing of the government's Opposition and defendant's Reply, if necessary.

19 Communications were complicated because government counsel planned to be out of his office
20 from June 10, 2016, to June 18, 2016. On June 10, 2016, this Court's clerk advised counsel this
21 Court was available for a hearing on the motion on July 22, 2016.
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24 It appears as if the government and Huber Ruiz Maldonado have reached a plea
25 agreement, which would render the Motion to Suppress moot. Counsel for the government and
26 Huber Ruiz Maldonado STIPULATE to modify the briefing schedule so that the government's
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1 Opposition, if necessary, is due June 24, 2016 and any reply is due July 8, 2016, and
2 STIPULATE that the hearing on the Motion be continued to July 22, 2016 at 2:00 p.m.

3 IT IS SO STIPULATED.

4 DATED: June 12, 2016

_____/s/_____
5 Frank Riebli
6 Assistant United States Attorney

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8 DATED: June 12, 2016

_____/s/_____
9 Scott A. Sugarman
10 Attorney for Huber Ruiz Maldonado

11 SO ORDERED.

12 DATED: June 14, 2016



13 JON S. TIGAR
14 UNITED STATES DISTRICT JUDGE
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